

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 ALVIN HENRY WHITESIDE,  
14 Defendant.

CASE NO. CR09-0116-JCC

ORDER

15 This matter comes before the Court on the parties' stipulated motion to dismiss the  
16 Petition for Warrant or Summons for Offender Under Supervision (Dkt. No. 83). Defendant  
17 Alvin Henry Whiteside was arrested and ordered detained on September 3, 2019, for having  
18 allegedly committed the crime of assault. However, the victim of the alleged assault recanted on  
19 the record at Mr. Whiteside's initial appearance, and the victim has subsequently repeated that  
20 recantation to local law enforcement and the probation office. The government, having conferred  
21 with Probation and reviewed the relevant reports, does not believe that it can prove the violation  
22 at this time. Accordingly, the Court ORDERS that:

- 23 1. Violation number 1 of the Petition for Warrant or Summons for Offender Under  
24 Supervision (Dkt. No. 75) is hereby dismissed. Probation may reassert the violation  
25 conduct should circumstances change;  
26 2. Mr. Whiteside should be released forthwith;

- 1 3. Mr. Whiteside shall report to the probation office after his release as directed by the  
2 probation officer; and  
3 4. Mr. Whiteside shall remain on supervision on all of the original conditions.  
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5 DATED this 11th day of September 2019.  
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9 John C. Coughenour  
10 UNITED STATES DISTRICT JUDGE  
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